

**Ceremonial sitting Industrial Relations Commission of New  
South Wales to mark the occasion of its move to new  
premises at Parramatta  
5 February 2019**

The Industrial Relations Commission is the current iteration of the oldest continuing industrial tribunal not merely in Australia but in the world. Notwithstanding the rule against hearsay, I rely, as authority for that proposition, on something said by a former president, the Honourable Lance Wright, who is present here today. He in turn relied upon an assurance given by the doyen of Australian Labour Lawyers Professor Ron McCallum.

There is a real sense of history about the Commission as an institution of this State. The same may be said of the building which most recently was home to the Commission, the Chief Secretary's Building at 47 Bridge Street. It can be said fairly that there was a happy symbolism in one of this State's oldest institutions being housed in one of its oldest buildings. It was, therefore, with not a little sadness that we learnt that we were obliged to leave that accommodation.

In historical terms, however, the Commission was a relatively recent occupant of the Chief Secretary's Building. Avid readers of the Commission's Annual Report will be aware that appended to it each year is a potted history of the Commission. That history, however, says nothing about where the commission has been located over the past 117 years. I am about to remedy that with a brief geographical journey through time. I am indebted to the reference librarians of the Law Courts library for their assistance in researching this topic.

It all began in 1902 following the passage of the Industrial Arbitration Act 1901. That Act established the Court of Arbitration. The first President was Justice Cohen. The lay members, elected by delegates of employee and employer organisations, were Messrs Samuel Smith and William Cruickshank. The Court was declared open on 30 April 1902.

The Court and its Registry were under the administration of the Department of Attorney-General and Justice. The Attorney of the day was the Honourable Bernhard Ringrose Wise KC MLC. The Sydney Morning Herald of 26 March 1902 published speeches by Mr Wise and the President of the Court given the day before in what, by today's standards, were remarkable circumstances. The report of the speeches was introduced by a short account of the establishment of the Court including the following statement:

“Yesterday the Ministry, through the Attorney-General, entertained those members of the Court who were in Sydney at a harbour excursion in the State yacht Victoria, and nearly the whole of the industrial delegates were also present by invitation. Many of those delegates came from country places, and Mr Wise thought it would be nice to afford them an opportunity of fraternising. The occasion would be suitable also, for saying a few words about the Act...”

We are honoured by the presence of the Attorney-General today, and he does intend to say a few words. I am unaware, however, of any invitation for an excursion on a rivercat back to Circular Quay. But the day is young and I digress.

The Law Notices of 13 May 1902, published in the same journal of record, list the first two matters for directions before the President, albeit “In Chambers”, at the Supreme Courthouse King Street. On 16 May the President and Members sat in the same location on a procedural application by the Tailoresses Union. The first substantive hearing, concerning a dispute about terms and conditions of engagement of labour on the Newcastle wharves, was heard in that city commencing on 19 May 1902. The decision of the Court in that matter can be found in (1902) 1 AR 1. It is worth noting that the Commission today maintains a permanent presence in Newcastle.

The Court was abolished in 1908 and replaced by the Industrial Court. Subsequent iterations bore names such as:

- Court of Industrial Arbitration;
- Industrial Commissioner;
- Industrial Boards;
- Board of Trade;
- Industrial Commission;
- Conciliation Commissioners; and of course
- Industrial Relations Commission.

Jurisdiction waxed and waned.

The administrative support and specialist conciliation elements of the tribunal also varied in title. I will use the terms Registry and Conciliation Commissioners to refer to these two arms.

I observe these matters because these various arms of the industrial tribunal were, for large parts of its history, located separately from each other.

It seems from the Law Notices that the Court of Arbitration and the Industrial Court sat for the most part in the Supreme Courthouse in King Street until about 1911. From that year Hyde Park Barracks in Queen Square became, until 1927, the more usual location of the Industrial Court and the Court of Industrial Arbitration as evidenced by, not only the Law Notices, but by the Law Almanac and the records of the Hyde Park Barracks Museum.

The Industrial Commissioner, who replaced the Court of Industrial Arbitration and the Board of Trade, was during 1926 based first in University Chambers at 78 Elizabeth Street, later the NSW Leagues Club, and then at 12 Spring Street. The single Industrial Commissioner was replaced, following a legislative amendment in 1927, by the Industrial Commission consisting of three members with the status of Supreme Court judges. Initially located at Spring Street the Industrial Commission moved to Hyde Park Barracks in February 1928.

In 1977 the Industrial Commission of New South Wales moved from Hyde Park Barracks to 50 Phillip Street.

The Registry was located at St James' Chambers on King Street from 1902 until 1915 when it moved to University Chambers. It remained there until about 1929 when it moved to 142 Phillip Street (now 60 Martin Place). Then in 1937 it moved again to the APA building at 53

Martin Place before reuniting with the Commission at 50 Phillip Street in 1978.

It seems the Conciliation Commissioners were located with the Registry until about 1965 when they moved to 109 Pitt Street. In 1988 they moved again to what was known at different times as Xerox House or Flight Centre at 815 George Street.

Towards the end of 2005 the Commission was finally united, at least in theory, in the 50 Phillip Street/Chief Secretary's Building complex. From about 2014 the Commission vacated, for practical purposes, 50 Phillip Street.

The Commission of course has throughout its history also sat in a variety of regional locations as required. It will continue to do so.

Finally, I wish to record my thanks to the Project team for their excellent endeavours in making the most of the available space to facilitate the efficient work of the Commission. I thank too the staff of the Commission for their efforts, patience and commitment in making the move to our new location.

While not exactly peripatetic or nomadic, the Commission has nevertheless moved premises on a number of occasions. It has nevertheless provided invaluable service to the State in maintaining industrial peace and thereby enhancing the economy of the State and the welfare not only of employees and employers but of the public at large. The Commission as presently constituted will endeavour to maintain that record.